

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Inventor: David K. Swanson

App. No.: 10/727,096

Filing Date: December 2, 2003

Title: SURGICAL METHODS AND
APPARATUS FOR STIMULATING TISSUE

Examiner: Roane, Aaron F.

Art Unit: 3769

Docket No. 03-0242 (US01)

Confirmation No. 6001

RESPONSE TO NON-FINAL OFFICE ACTION

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Commissioner:

This letter is responsive to the Office Action dated September 29, 2010 (hereinafter "the Office Action"). Claims 7, 10-12, 28-35, 37-40, 43, 46 and 54-59 remain pending in this application. Claims 12 and 29 are currently withdrawn as being directed to a non-elected embodiment. It is respectfully requested that these claims be reinstated upon allowance of respective independent claims from which they depend. No amendments have been made. However, a listing of the claims is provided below for convenience.

CERTIFICATE OF EFS-WEB TRANSMITTAL

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being transmitted to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below via the USPTO-EFS-Web filing system.

December 29, 2010

Date of deposit

/Jocelyn L. Lee/

Name of Person depositing Paper